IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7472 OF 2005

Ramesh Chandrakant Bondre .. Applicant

Versus

State of Maharashtra & Ors. .. Respondents

Mr.Manish Mestri i/b. M.P.Vashi & Associates

Mr.S.S.Tatkare, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 29th November 2005.

P.C.

. Applicant is a Chairmain of Sawantwadi Consumer Society Ltd. It is his case that he is an active social worker and involved with various

institutions and organisations in the vicinity. Alleged irregularities noted by the Auditor during the course of the audit carried out in 2001-02 and reported in March 2003 lead to an F.I.R. being lodged alleging offences under section 406, 408, 420, 467, 468 and 471 read with 34 I.P.C. The report is lodged by the C.A. who was at the relevant time auditor of the society. Application specifically alleges that auditor's report as well as F.I.R. does not name applicant as responsible for irregularities, although it is true that at the relevant time, he was Chairman of the society. The entire action is with a view to malign applicant on account of political rivalry. It is pointed out that the allegation is specifically against four employees. Although, as Chairman it was duty of the applicant but as far as day to day affairs are concerned, he was not in charge of the same and the society was functioning through its Secretary. Applicant has signed documents but by

that alone it cannot be inferred that large scale misappropriation alleged is only because of acts of omission and commission on the part of applicant.

2. When this application was placed before me earlier, I had directed the applicant to attend police station concerned from 21st November 2005 to 28th November 2005 and I am informed that he has been attending police station. There is no complaint that he has not cooperated with investigation. In these circumstances, applicant who is permanent resident of Sawantwadi deserved to granted anticipatotry bail. Hence following order:-

i) In the event of arrest of the applicant in connection with C.R.No.48 of 2005 registered with Sawantwadi Police station the applicant be released on bail in the sum of Rs.25,000/- with one surety

in the like amount.

ii) Applicant shall report to Sawantwadi Police Station, twice a week on every Monday and Thursday between 3.00 p.m. to 5.00 p.m. till the charge sheet is filed.

iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the police officer/ investigation agency. Applicant shall not hamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of

trial.

v) This order will enure to the benefit of the applicant only till charge sheet is filed.

vi) Application is disposed of in above terms.

vii) The parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)